

Mail body:

US FEDERAL DISTRICT COURT PUERTO RICO

VERIFIED COMPLAINT

SUMMARY DECLARTORY JUDGEMENT & SALVAGE

EMMETT CALDWELL plaintiff

vs

THE VESSEL 1(54' BETRAM WITH FISHING TOWER DOCKED IN SAN JUAN MARINA
)MR DIAZ ;THE VESSEL 2 ABANDONED BLUE SAIL BOAT IN RIO SAN ANTONIO
 JOHN DOE(any persons or entitys claiming a intrest right title lien to the Vessel 1 & 2l)
 defendants

JURISDICTION
 Admiralty Salvage \$76,000

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The following I declare and is sworn true under laws of the US and Oath and penalty of Perjury

1 ST CAUSE OF ACTION

1 PLAINTIFF PRIOR FILED A LAWSUIT AGAINST THE VESSEL AND MR DIAZ 2019 CV 2062 JUDGE DISMISSED CASE DUE TO NOT RECIVEING LETTER CONTAINING EVIDENCE. ORIGINALS PLAINTFF ADDRESSED TO 140 CARLOS CHARDON AVE THE US FEDERAL COURTS ADDRESS CURRENTLY ALSO ADVERISED ON GOOGLE

1a COURT HAS FAILED TO CORRECT 140 CARLOS CHARDON ADDRESS ERROR TO THIS DAY UNCORRECTED WHICH DIRECTLY PROXIMATELY CAUSED THE EVIDENCE TO BE NOT FILED WITH THE COURT CAUSED DISMISSAL OF THE VESSEL CASE ALSO MAILED ORIGINAL EVIDENCE DOCUMENTS TO BE LOST PREVENTING REGISTRATION ECT

1b THE VESSEL MARBET # IS STILL REGISTERED IN THE NAME OF MR DIAZ WHOSE DUTY BREACHED IS TO MAINTAIN VESSEL AND THE REGISTRATION AND NO LONGER RESIDES IN PUERTO RICO

1b6 JURY Demand

1c) IN REM CLAIM IS DUE TO PLAINTIFF 2019 TOOK POSESSION AND SALVAGED THE VESSEL #1 ON 12 15 2019 AFTER COAST GUARD APPROX 10 or 11/2019 FEDERALIZED THE VESSEL BY REMOVED ALL OIL AND FUEL DUE TO MR DIAZ INACTS FAILURE OF DUTYS

1d) PLAINTIFF HAS CONTINUED SALVAGE DAILY SINCE THAT TIME RECENT SALVAGE THE VESSEL THAT HAD BROKEN LOSE FROM ITS ANCHOR & MOORINGS AND DRIFITED ACROSS SAN ANTONIO BAY INTO THE EAST BANK THEREOF TO HARBOR TUG BOAT DOCK AREA IMMEDIATELY BELOW CLUB NAUTICA YACHT CLUB

2) PLAINTIFF HAS SINCE DAILY PUMPED WATER OUT AND CLEARED ALL DEBRI RENOVATED REPAIRED STRUCTRAL DAMAGES CLEAN PAINTED INSTALLED LIGHTS SOLAR PANELS PUMPS AND 5YEARS CONTRACTED BARBOSA PUMPS FOR WATER PUMP SERVICES TOTAL INVESTED \$55 000.00 IN REM SALVAGE CLAIM

2C) PLAINTIFF AGE 67 HAS SLEPT ON THE VESSEL EVERY NIGHT SINCE 12/2019 AND CANNOT MOVE UNTIL RECIVEING COMPENSATION FROM SALVAGE AUCTION SALE OR PENDING SINCE 2019 PERSONAL INJURY CASE DELAYED DUE TO ALIENAGE DISCRIMINATION

2D) THE VESSEL IS PLAINTIFFS ONLY AVAILABLE PRIMARY RESIDENCE DUE TO INDIGENTCY FINANCIALLY UNABLE TO RENT OR BUY ANOTHER PRIMARY RESIDENCE UNTIL RECIEPT OF FINANCIAL COMPENSATION DUE TO DISABILITYS SUFFERED AS A RESULT OF HOME DEPOT ATTACK CASE 20 CV 1461 AND DOMINICAN GANG PORT OF PR FORCED RESIDENCE AT NEMINOSO CANALES WITHOUT WARNING YOU CANNOT CALL POLICE THERE WAS ATTACKED 1ST ATTEMPTED 10 PM RUN OVER WITH MOTORCYCLE 9/1/23 THEN DOOR KICK IN HOME INVASION ATTACK AS A RESULT OF CALLING POLICE AND NOTIFYING BUT NOT REPORTING (WHITE & BLUE) MOTORCYCLE ATTACK BY DOMINICAN MAN AND AGE 21 DOMINICAN MORTORCYCLIST STALKING 10 PM AND ATTEMPTING TO RUN PLAINTIFF OVER INFRONT OF HIS N CANALES APT APPROX 9/1

2E) Plaintiff does NOT want Pr Bond A Hy

24-CV-1359
 PAD

18 DAYS AFTER MOVE IN POLICE REPORT # (EXHIBIT) RESTATED HERE BY REFERENCE

3) PLAINTIFF HAS A IN REM CLAIM OF \$55,000.00 AGAINST THE VESSEL FOR SALVAGE EXPENSES AND MAINTAINCE SINCE 2019

4) PLAINTIFF FILED A SALVAGE AND BREACH OF CONTARCT LAWSUIT IN FEDERAL COURT T 2019 CASE# HOWEVER IT WAS A DISMISSED DUE TO LOSS OR THEFT OF MAILED EVIDENCE UNFILED AND SENT TO FEDERAL COURT ADDRESS PROVIDED 140 AVE CARLOS CHARDON GOOGLE LISTS FEDERAL COURT INCORRECTLY STILL DUE TO MAILING EVIDENCE TO 140 CARLOS CHARDON THAT WAS NOT DELIVERED TO THE COURT IN TIME TO PREVENT CASES DISMISSAL BY JUDGE

5) PLAINTIFF RENTED TO OWN THE VESSEL AND PAID THE PRIOR OWNER 75% OF PURCHASE PRICE THAT WAS SUBJECT TO PRIOR OWNERS RETAINING A 25 % INTREST FOR WEEKENS USE BUT HE DISSAPEARED

6) CLAIM FOR RELIEF A ORDER PLAINTIFF HAS A IN REM JUDGEMENT OF \$85,000.00 AGAINST THE VESSEL AND THAT IT BE SOLD BY US MARSHALL AUCTION TO SATISFY THE JUDGEMENT

6a) Plaintiff expended over 4000 hours at 25,000 per hour additional demer

CAUSE OF ACTION BREACH OF CONTRACT

7) OWNER MR DIAZ OF THE 54 BETRAM LOCATED IN RIO SAN JUAN AT SAN JUAN MARINA AREA PLAINTIFF SALVAGED THE VESSEL AND SINCE 2020 RESIDED ON IT ON INFO AND BELIEF THE SAME BOAT THAT MR DIAZ CONTRACTED AND BREACHED WITH PLAINTIFF IN A LEASE TO OWN CONTRACT HAVING GIVEN PLAINTIFF THE CONTRACTUAL RIGHT TO SLEEP ON THE VESSEL EXCEPT THE WEEKENDS MR DIAZ WAS TO USE THE VESSEL

8) MR DIAZ DEFENDANT BREACHED WRITTEN AND ORAL CONTRACTS OWED PLAINTIFF

#1 MR DIAZ FAILED TO MAINTAIN THE BOAT AND REGISTRATION CURRENT AND DELIVER THE TITLE BUT DID DELIVER THE REGISTRATION CARD AND KEYS TO PLAINTIFF

9) AFTER DILIGENT SEARCH OF MARINE POLICE. COAST GUARD WHITE PAGES INTERNET PRIOR OWNER CANNOT BE FOUND THUS MUST BE SERVED BY PUBLICATION AND PER FED RULE 4C3

10) PLAINTIFF WAS APPROACHED TO SELL THE DAVIT OFF OF THE VESSEL SUBJECT OF THIS ACTION PLAINTIFF HAS SOLE POSESSION OF SINCE 1/2020 BY MR DIAZ BROTHER WHO HAS A 65 YACHT AT CLUB Nautica

11) PLAINTIFF REFUSED TO SELL THE DAVIT AT FIRST THEN AGREED TO SELL THE DAVIT(DINGY LIFT) TO MR DIAZ BROTHER FOR \$200.00 WHICH AMOUNT WAS PAID TO PLAINTIFF BY MR DIAZ BROTHER FOR THE DAVIT PLAINTIFF SOLD HIM 2022

12) MR DIAZ BROTHER INFORMED PLAINTIFF THAT MR DIAZ HAD NOT BEEN SEEN FOR SOME TIME AND DID NOT KNOW HIS WHEREABOUTS AND DID NOT RETURN TO THE VESSEL THEREAFTER KNOWING PLAINTIFF RESIDES THEREON NIGHTLY

13) CLAIM FOR RELIEF A ORDER GRANTING PLAINTIFFS IN RDM \$55,000 SALVAGE LIEN AGAINST THE VESSEL ALSO EXTINGUISHING ALL OWNERSHIP RIGHTS TITLE CLAIM TO THE VESSEL BY MR DIAZ AND SUCESSORS AND ALL DEFENDANTS AND APPROPRIATE RELIEFS

2nd CAUSE OF ACTION

14) THE PLAINTIFF SALVAGED 2020 THE BLUE SAIL BOAT THAT SINCE 11/2019 HAS BEEN ABANDONED IN RIO SAN ANTONIO COORDINATES

15) THE BLUE SAILBOAT BROKE FROM ITS ANCHOR AND DRIFTED EASTWARD TO SAN JUAN BAY AND DAMAGED THE VESSEL 1 ONE NIGHT IN 2021 AND PLAINTIFF SALVAGED IT AND REANCHORED IT IN ITS CURRENT LOCATION COORDINATES

16) PLAINTIFF MONTHLY CONTINUES SALVAGE EFFORTS REMOVING WATER AND CLEANING THE BLUE BOAT SALVAGE VESSEL #2 AND EXPENDED \$7400.00 TO DATE IN LABOR AND MATERIALS TO KEEP IT AFLOAT

17) THE VESSEL #2 IS CURRENTLY MAINTAINED BY PLAINTIFF WHO OCASIONALY RESIDES THEREON SINCE 2/2021

18) CLAIM FOR RELIEF A IN REM SALVAGE CLAIM AGAINST THE VESSEL FOR \$7400.00 AND APPROPRIATE RELIEF AND A ORDER EXTINGUISHING PRIOR OWNER AND THEIR SUCESSORS CLAIM INTERST RIGHT TITLE TO THE VESSEL

WEREFORRE

PLAINTIFF REQUESTS ORDERS FOR RELIEFS IN REM SALVAGE CLAIM JUDGEMENT FOR \$55,000 AGAINST THE WHITE 54 BETRAM ALSO A ORDER FOR \$7400 SALVAGE CLAIM JUDGEMENT AGAINST VESSEL #2 THE BLUE SAILBOAT AND ALSO APPROPRIATE RELIEFS AND A ORDER EXTINGUISHING ALL CLAIMS OF OWNERSHIP RIGHTS INTREST REGARDING THE VESSEL 1 OF PRIOR OWNER MR DIAZ AND JOHN DOE AND THEIR SUCESSORS AND A IN REM AWARD AGAINST THE VESSEL FOR \$55,000.00 PERSUANT TO IN REM SALVAGE CLAIM ALSO ORDERS FOR IN REM SALVAGE CLAIM AGAINST VESSEL 2 BLUE SAILBOAT AND ORDER EXTINGUISHING PRIOR REGISTETED OWNER AND THEIR SUCESSORS AND JOHN DOE CLAIM INTREST RIGHTS TITLE THERETO AND ALL APPROPRIATE RELIEFS PER PLAINTIFFS IN REM JUDGEMENT AGAINST THE VESSEL #1 AND VESSEL #2 AND APPROPRIATE ORDERS RELIEF

Dated 8/8/2024


Emmett Caldwell
Affiant and Complainant
Pob 16309 San Juan PR 00908
Biz2dev7777@gmail.com